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Interim Co-Lead Counsel for Direct Purchaser Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

Case No. M07-1827 SI

MDL No. 1827

This Document Relates to:
ALL DIRECT PURCHASER ACTIONS

**STIPULATION AND [PROPOSED]
ORDER FOR CONTINUANCE OF
HEARING AND MODIFICATION OF
BRIEFING SCHEDULE**

STIPULATION

WHEREAS:

1. Defendant Koninklijke Philips Electronic N.V. ("Royal Philips") has filed a motion pursuant to Rule 12(b)(2) and (6) of the Federal Rules of Civil Procedure to dismiss the Direct Purchaser Plaintiffs' Consolidated Amended Complaint (the "Complaint"), scheduled for hearing before the Honorable Susan Illston on April 30, 2008, at 2:00 p.m. in accordance with Pretrial Order No. 5.

2. After conferring, Plaintiffs and Royal Philips agree that Plaintiffs should have a reasonable opportunity to conduct limited jurisdictional discovery for the purpose of opposing Royal Philips' Rule 12(b)(2) motion.

3. Allowing time for Plaintiffs to conduct the contemplated discovery makes it necessary to continue the hearing of Royal Philips' Rule 12(b)(2) motion and the briefing schedule set forth in Pretrial Order No. 5.

4. To accommodate the jurisdictional discovery, Plaintiffs and Royal Philips have agreed to seek a continuance of the scheduled motion hearing and related briefing.

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and Royal Philips, by and through their undersigned counsel, subject to the Court's approval, as follows:

1. For the purposes specified in this Stipulation, Plaintiffs shall be permitted to conduct discovery from Royal Philips in accordance with the Federal Rules of Civil Procedure.

2. Royal Philips reserves all of its rights under the Federal Rules of Civil Procedure to object to, to seek a protective order regarding, or to otherwise oppose any discovery sought by Plaintiffs pursuant to this Stipulation.

3. Pretrial Order No. 5 shall be modified as follows:

a. Plaintiffs shall serve and file their opposition to Royal Philips' motion to dismiss under Rule 12(b)(2) and (6) within 120 days after entry of an Order approving this Stipulation, or by any subsequent date that may be ordered by the Court;

b. Royal Philips shall serve and file any reply no later than 14 days after Plaintiffs have served and filed their opposition; and

c. The hearing on Royal Philips' motion to dismiss, now scheduled for April 30, 2008, at 2:00 p.m., shall be continued to the earliest date available on the Court's calendar that will accommodate the briefing schedule in place pursuant to this Stipulation and will comply with the Court's Local Rule 7-3(c), which requires Royal Philips' reply to be filed at least 14 days before the hearing.

4. Plaintiffs and Royal Philips shall each make a good-faith effort to accomplish the jurisdictional discovery contemplated by this Stipulation in time to comply with the proposed briefing schedule. Should it become apparent to either Plaintiffs or Royal Philips that the jurisdictional discovery contemplated by this Stipulation will not be completed in time to comply with the modified briefing schedule set forth in this Stipulation, then either party may move the Court for a reasonable continuance of the briefing schedule and a corresponding continuance of the hearing on Royal Philips' motion to dismiss.

5. Plaintiffs and Royal Philips fully reserve all of their claims, defenses and rights in the above-captioned litigation, specifically including, without limitation, Royal Philips' right to contest personal jurisdiction.

It is so stipulated and requested.

Dated: March 20, 2008

Respectfully submitted,

Lieff, Cabraser, Heimann & Bernstein, LLP

/s/ Richard M. Heimann

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Interim Co-Lead Counsel for Direct Purchaser Plaintiffs and the Proposed Class

AND

1 Dated: March 20, 2008

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3 /s/ Brendan P. Cullen

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18 *Attorneys for Defendant Koninklijke Philips*
19 *Electronic N.V.*

20 Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the
21 filing of this document has been obtained from Richard M. Heimann and Brendan P. Cullen.
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ORDER

SO ORDERED this ____ day of March, 2008.



HONORABLE SUSAN ILLSTON
United States District Judge

Koninklijke Philips' Motion to Dismiss (#457) has been continued to 9/5/08 @ 9 a.m.